

**In the Claims:**

1. (Currently Amended) A computer implemented method comprising  
providing a computer network subscriber with a networking transmission service having  
a first characteristic related to a quality of service associated with the networking transmission  
service and wherein the networking transmission service relates to the transmission of packets  
between computers in a packet based network,  
observing at the packet based network that the provided networking transmission service  
to the computer network subscriber has a second characteristic; and  
billing the computer network subscriber for the networking transmission service having  
the second characteristic rather than for the networking transmission service having the first  
characteristic.
2. (Currently Amended) The method of claim 1 wherein observing further comprises:  
determining at the packet based network that resources are not available for providing  
[[the]] a first level of networking transmission service; and, in response to said determination,  
providing a second level of networking transmission service.
3. (Previously Presented) The method of claim 2 wherein providing the second level of  
networking transmission service further comprises:  
reassessing and redefining the deployed networking transmission service.
4. (Previously Presented) The method of claim 3 further comprising:  
determining whether reassessment and redefining of the deployed networking  
transmission policy was successful.
5. (Currently Amended) The method of claim 1 further comprising:  
determining whether there has been packet loss; and  
wherein determining said packet loss comprises:  
deploying a packet detector monitor in the packet based network to generate  
network accounting records that can be used to determine said packet loss.

6. (Previously Presented) The method of claim 1 wherein providing further comprises:  
establishing a differentiate services policy that is decomposed into a collection of configurations and deployed in a network.
7. (Currently Amended) The method of claim 6 wherein providing further comprises:  
deploying the collection of configurations to a collection of routers or switches that the ~~customer~~ computer network subscriber would have access to in the network.
8. (Original) The method of claim 1 wherein observing observes a large number of network flows.
9. (Currently Amended) The method of claim 8 wherein observing further comprises:  
using an accounting process that produces information at a granularity level at which [[the]] policies are actually deployed.
10. (Original) The method of claim 9 wherein the policies are deployed at the source and destination IP address, protocol and/or destination port level.
11. (Currently Amended) A computer implemented method comprising  
providing a computer network subscriber with a networking policy having a first level of service,  
collecting data from [[the]] a computer network using an accounting process that collects different kinds of metrics from the computer network, said metrics related to a quality of service regarding an exchange of packets between computers on the computer network, and said accounting process ~~correlates the~~ correlating said metrics to specified computer network flows, and ~~relates-relating~~ the collected and correlated metrics back to the networking policy that was defined with the first level of service; and  
billing the computer network subscriber for the networking policy having a second level of service rather than for the networking policy having the first level of service.
12. (Currently Amended) The method of claim 11 further comprising:

providing an indication whether or not the networking policy with the first level of service is being satisfied.

13. (Currently Amended) The method of claim 11 further comprising:

determining at the computer network that resources are not available for providing [[the]] transmission service at the first level of service; and, in response to said determination, providing a second level of networking transmission service.

14. (Previously Presented) The method of claim 13 wherein providing the second level of networking transmission service further comprises:

reassessing and redefining the deployed networking transmission service.

15. (Currently Amended) The method of claim 14 further comprising:

determining whether reassessment and redefining of the deployed networking transmission policy-service was successful.

16. (Currently Amended) The method of claim 11 further comprising:

determining whether there has been packet loss and wherein determining said packet loss comprises:

deploying a packet detector monitor in the computer network to generate network accounting records that can be used to determine said packet loss.

17. (Previously Presented) The method of claim 11 wherein providing further comprises:

establishing a differentiate services policy that is decomposed into a collection of configurations and deployed in a network.

18. (Currently Amended) The method of claim [[11]] 17 wherein providing further comprises:

deploying [[the]] collection of configurations to a collection of routers or switches that the ~~customer~~ computer network subscriber would have access to in the computer network.

19. (Currently Amended) The method of claim 11 wherein the accounting process produces information at a granularity level at which ~~[[the]]~~ policies are actually deployed.

20. (Previously Presented) The method of claim 19 wherein the policies are deployed at source and destination IP address, protocol and/or destination port level.

21. (Currently Amended) A method of billing a subscriber, comprising:

accepting a contract with the subscriber to provide a networking transmission service having a first characteristic related to a quality of service associated with the networking transmission service and wherein said networking transmission service relates to transmission of packets between computers on a computer network;

providing the subscriber with ~~provided~~ said networking transmission service;

observing at the computer network that the provided networking transmission service to the subscriber has a second characteristic; and

billing the subscriber for the networking transmission service having the second characteristic rather than for the networking transmission service having the first characteristic.

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